

HALL COUNTY BOARD OF SUPERVISORS MEETING JUNE 28, 2005

The Hall County Board of Supervisors met June 28, 05, by published call in the county board meeting room, 121 South Pine, Grand Island.

CALL TO ORDER - The meeting was called to order by Chairman Pamela Lancaster.

INVOCATION - Invocation was given by Chairman Pamela Lancaster.

PLEDGE OF ALLEGIANCE – The Pledge of Allegiance was given in unison.

ROLL CALL - Present on roll call were Scott Arnold, Jim Eriksen, Richard Hartman, Bob Humiston, Bud Jeffries, Pamela Lancaster and Robert Rye. Also present was a representative from the *Grand Island Independent* and Deputy County Attorney Michelle Oldham.

CONSENT AGENDA ITEMS – Eriksen made a motion and Humiston seconded to approve the following by consent agenda:

1. Accept and place on file the minutes of the June 14th meeting
2. 4 Approve the interlocal cooperation agreement between the County of Hall and Stuhr Museum for operation of a recreational facility
3. 15 Accept and place on file communications from Regional Planning
4. 23 Accept and place on file the office reports from the Clerk of the District Court, County Court, Hall County Sheriff and Juvenile Services
5. 24 Accept and place on file the Hall County Treasurer's Miscellaneous Receipts
6. 25 Accept and place on file communications as received

Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

OFFICE REPORT HALL COUNTY JUVENILE SERVICES MAY 2005

JUVENILE REFERRALS	41 JUVENILES
JUVENILE OFFENDERS	0 JUVENILE
JUVENILE HOUSE ARREST	0 JUVENILES
TOTAL UNDER SUPERVISION	225 JUVENILES
FEES COLLECTED	\$930.00

OFFICE REPORT HOWARD COUNTY JUVENILE SERVICES MAY 2005

JUVENILE REFERRALS	1 JUVENILES
TOTAL JUVENILE ENROLLEES	6 JUVENILES
FEES COLLECTED FOR MONTH	\$100.00
TOTAL FEES COLLECTED FISCAL YEAR	\$190.00

OFFICE REPORT
COUNTY COURT
MAY 2005

FINES (CO.)	\$ 67,914.57
OVERLOAD FINES	2,375.00
REIMBURSE SHERIFF FEES	1,810.88
WORK RELEASE FEES	1,332.00
REIMBURSE FAX COPIES	6.00
FINES (CITY)	10,480.69
REIMBURSE WITNESS FEES	551.66
BOND FORFEITURES	909.75
REIMBURSE CO. FEES	41.50
TOTAL	\$ 85,422.05

OFFICE REPORT
CLERK OF THE DISTRICT COURT
MAY 2005

COURT COSTS	\$4,588.74
10% BOND	600.00
FINES	550.00
PHOTO COPIES & FAX FEES	408.50
INTEREST	603.44
BOARD OF PRISIONERS	1,743.00
BOND FORFEITURE	.00

OFFICE REPORT
HALL COUNTY SHERIFF
APRIL 2005

TOTAL FEES MILEAGE & MISC	\$12,667.61
COPIES	41.00
HANDGUN APPLICATIONS	25.00
TITLE INSPECTIONS	2,830.00

2 COUNTY ATTORNEY DISCUSS & APPROVE LEASE AGREEMENT BETWEEN HALL COUNTY & MID PLAINS CENTER FOR BEHAVIORIAL HEALTH CARE SERVICES, INC – Michelle Oldham was present and stated that Mid Plains Center is proposing to make a detox center at their facility. The committee has met and she has prepared a 99 year lease. The lease now provides that they will maintain the building and the new lease details the required maintenance. This will also allow them to acquire a loan. Eriksen stated that the county will maintain the property insurance but will have no other expenses as long as they provide mental health care services to Hall County.

Eriksen made a motion and Jeffries seconded to approve the lease agreement and authorize the chair to sign. Arnold stated that there is a need for a center of this type in Hall County. Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

2c Executive session will be removed.

PUBLIC PARTICIPATION – Chairman Lancaster called for public participation and no one responded.

Jeffries noted the letter from the State Department of Roads regarding the change of the speed limit on Highway 11. This is a bridge that was rebuilt over I-80. The speed limit signs will be installed by the State.

7 DISCUSS & APPROVE AMENDMENT TO HALL COUNTY HEALTH PLAN – This amendment to the Hall county Health plan reflects the changes that were made for the 2005 to 2006 renewal period. These were approved by the board at the last meeting and once this amendment is signed it will become part of the current plan and it will be distributed to all of the employees.

Hartman made a motion and Jeffries seconded to approve amendment #3 for the Hall County Health Plan. Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Reye all voted yes and none voted no. Motion carried.

8. DISCUSS & AUTHORIZE CHAIR TO SIGN SUB GRANTEE AGREEMENTS FOR STATE DOMESTIC PREPAREDNESS EQUIPMENT GRANT PROGRAM – Lancaster stated that these are all of the contracts that are to be signed for the homeland security dollars. Stacey prepared all of the contracts and included a list that needS to be signed. Rye made a motion and Arnold seconded to authorize the chair to sign the contracts. Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Reye all voted yes and none voted no. Motion carried.

9. DISCUSS & APPROVE WIRELESS AGREEMENTS FOR PUBLIC SAFETY ACCESS POINT LOCATIONS – Doug Drudik was present, he stated that these are the wireless agreements that are entered into as the wireless access points are expanded by the county. The agreements have been reviewed by the county attorney and now will need to be signed as they are completed.

Arnold made a motion and Humiston seconded to allow the chair to sign the wireless agreements as they are signed and prepared. Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Reye all voted yes and none voted no. Motion carried.

10 UPDATE ON DONIHAN ROAD – Jeffries stated that there is no report.

11 DISCUSS SCHEDULING ANNUAL INFORMATIONAL DINNER WITH HALL COUNTY HOUSING - The board received a letter from the Housing Authority inviting them to the annual luncheon. They suggested August 9th at noon. The board will place this on the August 9th agenda.

12. DISCUSS & TAKE ACTION ON TEMPORARILY CLOSING AUSTIN STREET AT DAVIS LAKE ON JULY 3, 2005 – Jeffries stated that the neighborhood is planning a 4th of July celebration and would like to block off Austin Avenue for several hours and shoot fire works over the lake. Jeffries made a motion and Hartman seconded to close Austin Avenue July 4th and have the public works department provide the barricades.

Arnold questioned if it was necessary to have the board approve this and Jeffries stated that he talked to sheriff and then to County Surveyor Dan Hostler and Dan stated that this has to be board action.

Eriksen questioned if the board could just authorize the public works director to temporarily close a street for a situation like this. The board directed the county attorney's office to check on this. The vote on the motion was taken. Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Reye all voted yes and none voted no. Motion carried.

13. POSSIBLE ACTION ON REQUEST FROM HALL COUNTY HUMANE SOCIETY REGARDING NEGLECTED & MALNOURISHED DOGS – Lancaster stated that she was asked to place this on the agenda. The executive director of the humane society was present and a representative from the sheriff's department was also present.

Executive Director of the Humane Society Brad Kimel was present. He stated that the situation involving the 32 neglected dogs is an extreme situation. In fact, they now have 37 dogs and there is another litter of puppies due this week. They have a policy and procedures for the care of the animals, but the boarding fees are now \$2,747.00 and are continuing to increase by \$370.00 a day. Some of the dogs are also being boarded at Douglas County because Hall County does not have enough space. He is requesting that Hall County compensate the humane society for some of these fees. They are trying to expedite this process as quickly as possible and following the established procedure. He expressed concern that the dogs may have to be held as evidence for a criminal case. Many of the dogs may not be adoptable. He stated that if the dogs are held for 5 days they become the property of the shelter and if these dogs fail the tests and it is determined they are not adoptable the policy will be followed. Some people have come forward but they have not been able to produce ownership documents. He also noted that there is an extreme circumstance clause written into the contract that provided that the humane society can come to the county board if needed.

Jeffries questioned if the court could assess the fees for the care and Mr. Kimel stated that could be done. Right now he is asking for proof of ownership and expressed concern that some of the dogs may have been taken over state lines and if the shot are not current that is illegal.

County Attorney Mark Young is working with Jim Castleberry with the Sheriff's Department regarding this situation. Deputy County Attorney Michelle Oldham cautioned

the board to not take action until the contract has been reviewed. There is not enough information to make a decision at this time.

Mr. Castleberry stated that one individual has been referred for charges and at this time there investigation has been completed. It is the understanding that the owners had until 5:00 p.m. yesterday to provide proof of ownership and if not the animals would be surrendered. Michelle stated that if evidence is needed photos will be sufficient. She stated that the normal process will be followed.

Arnold stated that the Humane Society can move forward with the process, but they are asking for assistance for the fees that they have incurred. They are over whelmed with this situation and he stated that the board needs to look at this and consider the reimbursement.

Eriksen stated that is premature to take any action at this time, they need to let this pay out and if the Humane Society needs assistance they can present a claim. The board needs more information. This could be referred to a committee and bring it back in two weeks. The criminal justice committee can review this and come back with a recommendation.

Mr. Kimel stated that according to the contract they can come to the board for extreme circumstances. They hope to have this resolved by the end of the day and then if needed, they could present a claim for the additional fees. If public funds are received they will deduct the donations from the total and then present a bill to the county.

Held a board of equalization meeting 10:00 a.m. to 10:37 a.m.

6 PUBLIC HEARING ADOPTING BUILDING CODES – Humiston made a motion and Jeffries seconded to open the public hearing regarding the Hall County Building Codes. Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Reye all voted yes and none voted no. Motion carried.

Max Boersen Hall County Building Inspector it is necessary to update the building codes for Hall County and he proposes to adopt the following

- 2003 International Building
- 2003 International Residential Codes
- 2005 National Electrical Codes
- 2003 Uniform Plumbing Codes
- 2003 Uniform Mechanical Codes
- 2003 International Fire Codes

Lancaster called for questions regarding the codes.

Eriksen questioned if the city had adopted the same codes and Mr. Boersen stated that the city is in the process of doing this. Now the city and county will be the same

Hartman made a motion and Jeffries second to go out of the public hearing. Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Reye all voted yes and none voted no. Motion carried.

Arnold made a motion and Hartman seconded to adopt Resolution #05-0027 a resolution adopting building codes. Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

6b DISCUSS & APPROVE APPOINTMENTS OF MEMBERS TO THE HALL COUNTY BOARD OF ADJUSTMENT - Building Inspector Max Boersen included a letter requesting the appointment of the members to the Board of Adjustment. This board has the power to override decision made by the building inspector if an individual request changes to set back or adjustment to side yards. The board can hold a public hearing requesting these changes but by state statute he is required to have a board of adjustment in place to handle requests. The County board adopts the rules and regulations and the board of adjustment can set the variances. The board members will review the site and then meet as a board and make a decision. Imogene Lechner retired from the board and Les Ruge has agreed to serve.

Jeffries made a motion and Eriksen seconded to postpone this item until the July 12th meeting for more information. Eriksen stated that he would like to see this opened up to the public to see who is interested. Mr. Boersen stated that it is difficult to get some one to serve because this is on a volunteer basis. He has to have a member from the planning commission for the vacancy and requesting that the rest of the board members be reappointed. Lancaster questioned why the terms are not staggered. This is according to state statute. Mr. Boersen suggested that the committee could meet with Chad Nabity to go over this. Jeffries stated that Michelle Oldham is going to review this. Mr. Boersen stated that he does have a request the needs to go to the Board of Adjustment.

Hartman suggested that the motion should be amended to approve the appointment.

Lancaster called for the vote on the motion on the floor to table the matter for two weeks. Arnold, Eriksen, Hartman Humiston Jeffries Lancaster and Rye all voted yes and none voted no.

Mr. Boersen stated that he talked to Craig Lewis regarding the new Nebraska Energy Codes. The city has decided to let the state do the inspections because of the requirements, such as R-factors in windows, the requirements for 2/6 board in the walls and the finish on basements. Mr. Boersen stated that Craig Lewis wrote a letter regarding this issue. No action is necessary. The board will readdress the appointments to the Board of Adjustment.

16 COMMENCE AUDIT OF BI WEEKLY PAY CLAIMS AND ACTION ON CLAIM AUDIT
Arnold made a motion and Eriksen seconded to approve the bi weekly pay claims and authorize the clerk to pay. Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

BOARD MEMBER'S REPORTS – Hartman – no report

Humiston – no report

Eriksen – He has attended the union negotiation meetings.

Rye – no report

Jeffries – He attended the negotiation meetings.

Arnold – He attended the computer committee meeting and they are working on the budget. He thanked Tracy Overstreet for the article on the property valuation protest story; she did a good job on the article.

Lancaster – She reminded the board members to sign the approval for the pay claims and the performance evaluation need to be returned to Stacey. She also attended the negotiations committee meetings and the computer committee meetings.

NEW OR UNFINISHED BUSINESS – Lancaster called for new or unfinished business and no one responded.

Meeting adjourned at 11:00 a.m. the next meeting will be July 12, 2005 at 9:00 a.m.

Marla J. Conley Hall County Clerk